

There should be a single exception to FCC's proposed requirement under TCPA that all express permissions to send fax advertisement be in writing. That exception should be that any entity may send ONE fax ad within 72 hours of receiving express oral or telephonic permission. That exception will allow me to ask for and receive a rate quote from an insurance company, yet will not allow the insurance company to junk fax me later. That exception will permit the insurance company to fax a rate quote without incurring a paperwork burden.

S 2603, the Junk Fax Prevention Act of 2004 (a better name would be the Junk Fax Loophole Act of 2004), is unwise because it permits any of the myriad of entities with which I have an EBR to send me junk faxes. It would be exceedingly burdensome for me to have to inform all entities with which I have an EBR to place me on a do-not-fax list. S 2604 would even permit Sears, Walmart, Holiday Inn, Kroger, etc., etc. etc. (all entities with which I have once done business but none of which I have given my fax number) to purchase my fax number from a fax number vendor and junk fax me at will.